

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1760

Introduced by Senator Bowen

February 24, 2006

~~An act to amend Sections 90000 and 90003 of the Government Code, relating to the Political Reform Act of 1974. An act to add Section 19254 to the Elections Code, relating to electronic voting systems.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1760, as amended, Bowen. ~~Political Reform Act of 1974: electronically filed reports. Electronic voting systems.~~

Existing law specifies the requirements for approval of voting systems and inspection of approved voting systems.

This bill would prohibit the Secretary of State from approving a direct recording electronic voting system unless the paper used for its voter verified paper audit trail is of sufficient quality that it maintains its integrity and readability throughout the required retention period.

~~The existing Political Reform Act of 1974 requires the Franchise Tax Board and the Fair Political Practices Commission to make audits and field investigations with respect to reports and statements filed with the Secretary of State regarding campaign disclosure, limitations on contributions, and lobbyists.~~

~~This bill would additionally require the board and commission to make audits and field investigations with respect to compliance with electronic filing requirements for the reports and statements filed with the Secretary of State.~~

~~The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes~~

~~with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.~~

~~This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19254 is added to the Elections Code, to
2 read:

3 19254. The Secretary of State shall not approve a direct
4 recording electronic voting system unless the paper used for its
5 voter verified paper audit trail is of sufficient quality that it
6 maintains its integrity and readability throughout the retention
7 period specified in Chapter 4 (commencing with Section 17300)
8 of Division 17.

9 SECTION 1. ~~Section 90000 of the Government Code is~~
10 ~~amended to read:~~

11 90000. ~~Except as provided in Section 90006, the Franchise~~
12 ~~Tax Board shall make audits and field investigations with respect~~
13 ~~to the following:~~

14 (a) ~~Reports and statements filed with the Secretary of State~~
15 ~~under Chapter 4 (commencing with Section 84100), Chapter 5~~
16 ~~(commencing with Section 85100), and Chapter 6 (commencing~~
17 ~~with Section 86100).~~

18 (b) ~~Compliance with the electronic filing requirements of~~
19 ~~Chapter 4.6 (commencing with Section 84600) for those reports~~
20 ~~and statements.~~

21 (c) ~~Local candidates and their controlled committees selected~~
22 ~~for audit pursuant to subdivision (i) of Section 90001.~~

23 SEC. 2. ~~Section 90003 of the Government Code is amended~~
24 ~~to read:~~

25 90003. ~~In addition to the audits and investigations required by~~
26 ~~Section 90001, the Franchise Tax Board and the commission~~
27 ~~may make investigations and audits with respect to any reports or~~
28 ~~statements required by Chapter 4 (commencing with Section~~
29 ~~84100), Chapter 5 (commencing with Section 85100), or Chapter~~
30 ~~6 (commencing with Section 86100), and compliance with the~~

1 ~~electronic filing requirements of Chapter 4.6 (commencing with~~
2 ~~Section 84600) for those reports and statements.~~
3 ~~SEC. 3. The Legislature finds and declares that the provisions~~
4 ~~of this act further the purposes of the Political Reform Act of~~
5 ~~1974 within the meaning of subdivision (a) of Section 81012 of~~
6 ~~the Government Code.~~

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